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Attorneys for Defendant Wal-Mart Stores, Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

KATHLEEN CURNS and LINDA
ZUKAITIS,

Plaintiff,

v.

WAL-MART STORES, INC.,

Defendant.

No. 06 CV 1336 (GLS/DRH)

**DEFENDANT'S OBJECTIONS TO
PLAINTIFFS' TRIAL EXHIBITS**

Defendant Walmart Stores East, L.P., improperly sued herein as Wal-Mart Stores, Inc. ("Walmart"), by and through its undersigned counsel, Littler Mendelson, P.C., objects to all of the proposed exhibits listed on the Plaintiff's List of Trial Exhibits filed on April 27, 2010. Pursuant to Fed. R. Civ. P. 26(a)(3)(B) and the Court's stated trial ready date of May 17, 2010, Plaintiffs were required to serve and file a list of trial exhibits that they expect to offer and those they may offer on or before April 19, 2010. Plaintiffs failed to do so.

Subject to and without waiving this objection, Walmart asserts the following additional objections pursuant to Fed. R. Civ. P. 26(a)(3)(B). These objections are asserted subject to and without waiver of Walmart's right to assert further objections to these or other exhibits in accordance with the Federal Rules of Civil Procedure, the Federal Rules of Evidence and/or as may be permitted by the Court.

Plaintiffs' Exhibit No.	Defendant's Objections
P-1	Relevance (FRE 401/402); Authentication (FRE 901); Prejudice, Confusion, Waste of Time (FRE 403)
P-2	Relevance (FRE 401/402); Authentication (FRE 901); Prejudice, Confusion, Waste of Time (FRE 403)
P-3	Relevance (FRE 401/402); Authentication (FRE 901); Prejudice, Confusion, Waste of Time (FRE 403)
P-4	Relevance (FRE 401/402); Authentication (FRE 901); Prejudice, Confusion, Waste of Time (FRE 403)
P-5	Relevance (FRE 401/402); Authentication (FRE 901); Prejudice, Confusion, Waste of Time (FRE 403)
P-6	Relevance (FRE 401/402); Authentication (FRE 901); Prejudice, Confusion, Waste of Time (FRE 403)
P-7	Relevance (FRE 401/402); Incomplete document
P-8	Incomplete document
P-9	Relevance (FRE 401/402); Prejudice, Confusion, Waste of Time (FRE 403)
P-10	Relevance (FRE 401/402); Authentication (FRE 901); Prejudice, Confusion, Waste of Time (FRE 403)
P-11	
P-12	Authentication (FRE 901); Incomplete document
P-13	
P-14	Relevance (FRE 401/402)
P-15	Relevance (FRE 401/402)
P-16	Relevance (FRE 401/402); Authentication (FRE 901); Hearsay (FRE 801, 802)
P-17	Relevance (FRE 401/402)
P-18	Relevance (FRE 401/402); Authentication (FRE 901); Hearsay (FRE 801, 802)
P-19	Relevance (FRE 401/402)
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P-21	Relevance (FRE 401/402); Authentication (FRE 901); Hearsay (FRE 801, 802)
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P-24	Relevance (FRE 401/402)
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P-31	Authentication (FRE 901); Hearsay (FRE 801, 802)
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P-33	Authentication (FRE 901); Hearsay (FRE 801, 802)
P-34	Authentication (FRE 901); Hearsay (FRE 801, 802)
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P-42	Relevance (FRE 401/402); Hearsay (FRE 801, 802); Prejudice, Confusion, Waste of Time (FRE 403)
P-43	Relevance (FRE 401/402); Hearsay (FRE 801, 802); Prejudice, Confusion, Waste of Time (FRE 403)
P-44	Relevance (FRE 401/402); Hearsay (FRE 801, 802); Authentication (FRE 901); Prejudice, Confusion, Waste of Time (FRE 403); Document not produced during discovery; Subject to pending in limine motion
P-45	Relevance (FRE 401/402); Hearsay (FRE 801, 802); Prejudice, Confusion, Waste of Time (FRE 403)
P-46	Relevance (FRE 401/402); Hearsay (FRE 801, 802); Prejudice, Confusion, Waste of Time (FRE 403)
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P-50	Relevance (FRE 401/402)
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P-54	Incomplete document
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P-63	Incomplete document
P-64	Relevance (FRE 401/402)
P-65	Relevance (FRE 401/402)
P-66	
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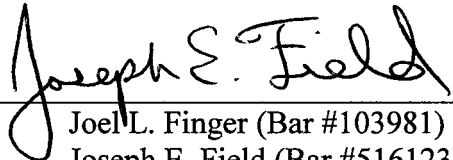
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P-93	Relevance (FRE 401/402); multiple documents in one; Prejudice, Confusion, Waste of Time (FRE 403)
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	Waste of Time (FRE 403); Document not produced during discovery
P-138	Relevance (FRE 401/402); Hearsay (FRE 801, 802); Prejudice, Confusion, Waste of Time (FRE 403); Document not produced during discovery
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Dated: New York, New York
May 11, 2010

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CERTIFICATE OF SERVICE

I hereby certify that on May 11, 2010, I served a true and correct copy of the Defendant's Objections To Plaintiffs' Trial Exhibits via the Court's electronic filing system upon the following:

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